

REMARKS

Claims 1-24 are pending in the current application. Claims 1-24 currently stand rejected, and claims 1, 8, 11, and 18-24 have been amended. Reconsideration and withdrawal of the rejections to claims 1-24 are respectfully requested in light of the preceding amendments and following remarks.

Examiner Interview

Initially, Applicants wish to thank Examiner Heneghan for the courtesies extended to Applicants' representative during the telephonic interview of June 25, 2008. During the interview, the parties discussed the rejection under § 102(b) and proposed amendments to overcome that rejection. The Examiner agreed that the proposed amendments would require further search and requested that Applicants point out support for such amendments within the specification. Applicants have amended the claims in accordance with the proposed amendment and provide the following remarks in response to the Examiner's request.

Objections to the Specification

The Examiner objects to the specification for failing to provide strict antecedent basis for the claim term "computer readable media." Applicants have amended the specification above to include this term and provide the requested antecedent basis. Applicants note that the term was present in the

claims as originally presented and that interchangeable terms such as computer applications, software, and firmware were additionally present in the original specification. Thus, the addition of “computer readable media” in the specification does not constitute new matter. See In re Anderson, 471 F.2d 1237 (C.C.P.A. 1973) (Original claims form part of the original disclosure). Withdrawal of the objection to the specification is respectfully requested.

Claim Rejections – 35 U.S.C. § 102

Claims 1, 3, 7-11, 13, 17, 18, 20 and 24 stand rejected under 35 U.S.C. § 102(b) as being anticipated by US Pat 6,414,635 to Stewart et al. (“Stewart”). Applicants respectfully traverse this rejection for the reasons detailed below.

With regard to claim 1, the Examiner alleges that Stewart discloses each and every element of this claim, including the mobile terminal being unassociated with the access terminal. Applicants respectfully submit that claim 1 have been amended to clarify that the mobile terminal is **not** “**communicatively connected** to the access terminal,” such that the mobile terminal may be located extremely distant from the access terminal or deactivated. This amendment finds support in example embodiments in the original specification, including, for example, the system described on page 8, line 17 – page 10, line 8 of the specification as filed, wherein if a mobile terminal is distant from the access terminal, where communicative connection is impossible between the two by either cable or wireless linking, access to the access terminal may be denied. Further, nowhere does the specification

disclose a connection or information sent between the access terminal and mobile terminal.

Applicants respectfully submit that Stewart teaches a mobile terminal, such as a computer with network card, that must be **communicatively connected to and authenticated with** an access terminal. See Stewart, Col. 7, ll. 20-41. Thus, Stewart fails to teach the mobile station not being connected to the access terminal as recited in claim 1 as amended.

Because Stewart fails to teach or suggest each and every element of claim 1, Stewart cannot anticipate or render obvious claim 1. Claims 8, 11, and 18 have been amended to recite the same unique feature of claim 1 discussed above and are thus equally allowable over Stewart at least for this reason. Claims 2-7, 9, 10, 12-17, and 19-24 are allowable at least for depending from an allowable base claim. Withdrawal of the rejection under 35 U.S.C. § 102(b) to claims 1, 3, 7-11, 13, 17, 18, 20, and 24 is respectfully requested.

Claim Rejections – 35 U.S.C. § 103

Claims 2, 4-6, 12, 14-16, 19, and 21-26 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Stewart alone. Because Stewart cannot anticipate or render obvious claims 1, 8, 11, and 24 as discussed above, claims 2-7, 9, 10, 12-17, and 19-24 are allowable at least for depending from an allowable base claim. Withdrawal of the rejection under 35 U.S.C. § 103(a) to claims 2, 4-6, 12, 14-16, 19, and 21-26 is respectfully requested.

CONCLUSION

Accordingly, in view of the above amendments and remarks, reconsideration of the objections and rejections and allowance of each of claims 1-24 in connection with the present application is earnestly solicited.

Pursuant to 37 C.F.R. §§ 1.17 and 1.136(a), Applicant(s) hereby petition(s) for a one (1) month extension of time for filing a reply to the outstanding Office Action and submit the required \$120.00 extension fee herewith.


Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Gary D. Yacura at the telephone number of the undersigned below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

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By


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